APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/788,603	02/21/2001	Elin R. Pedersen	CQ10184	4550

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EXAMINER
ZHOU, TING

ART UNIT	PAPER NUMBER
2173	

DATE MAILED: 10/31/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *25 August 2006*.

2a)☐ This action is **FINAL**.　　2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1,3-11,13-20 and 22-25* is/are pending in the application.

　　4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1,3-11,13-20 and 22-25* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

　　Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

　　Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

　　a)☐ All　b)☐ Some *　c)☐ None of:

　　　1.☐ Certified copies of the priority documents have been received.

　　　2.☐ Certified copies of the priority documents have been received in Application No. _____.

　　　3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

　　* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)　　　　　4)☐ Interview Summary (PTO-413)
2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)　　　　Paper No(s)/Mail Date. _____.
3)☐ Information Disclosure Statement(s) (PTO/SB/08)　　5)☐ Notice of Informal Patent Application
　　Paper No(s)/Mail Date _____.　　　　　　　　6)☐ Other: _____.

DETAILED ACTION

1.　　The Request for Continued Examination (RCE) filed on 25 August 2006 under 37

CFR 1.53(d) based on parent Application No. 09/788,603 is acceptable and a RCE has

been established. An action on the RCE follows.

2.　　The amendments filed on 19 July 2006, submitted with the filing of the RCE have

been received and entered. The applicant has added new claims 24-25. Claims 1, 3-11,

13-20 and 22-25 as amended are pending in the application.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

3.　　Claims 1, 3-4, 9-11, 13, 18-20 and 22-25 are rejected under 35 U.S.C. 103(a) as

being unpatentable over Oran et al. U.S. Patent 5,617,526 (hereinafter "Oran") and

Horvitz U.S. Patent 6,618,716.

Referring to claims 1 and 11, Oran teaches a method and system comprising a

memory (column 3, lines 1-3) that stores associations between at least one activity stream

and at least one representation element, the activity stream based on an activity that is

beyond a user's perception (for example, associating the activity stream of a received

electronic mail message with the representation element of a mail icon 38) (Oran: column

4, lines 44-47, column 5, lines 37-46 and Figure 6); at least one synthesizer circuit,

synthesizing a value of a human sensible attribute of the at least one representation

element based on changes in the at the least one activity stream and the stored

associations (synthesizing the displayed icon based on changes; for example, the

displayed icon can be modified to a mail slot with multiple envelopes in order to indicate

changes in the activity stream such as the arrival of multiple mail messages) (Oran:

column 5, lines 37-46); determining a user's focus of attention (users interacting with the

graphical user interface) and selecting at least one of the at least one representation

elements (displaying the associated icon on the taskbar notification area) (Oran: column

2, lines 46-56, column 4, line 44- column 5, line 60 and further shown in Figures 6-8);

presenting the synthesized human sensible attribute using the selected at least one

representation element to the user (displaying icon representing the sensed arrival of new

mail on the interface) (Oran: column 2, lines 46-56, column 4, line 44- column 5, line 60

and further shown in Figures 6-8). However, Oran fails to explicitly teach varying

representation elements are used in informing the user of the changes in the at least one

activity stream depending on the user's focus of attention. Horvitz teaches a graphical

user interface that displays alerts and notifications to users similar to that of Oran. In

addition, Horvitz further teaches selecting at least one of the at least one representation

elements based on the user's focus of attention, presenting the synthesized human

sensible attribute using the selected at least one representation to the user, wherein

varying representation elements are used in informing the user of changes in the at least

one activity stream depending on the user's focus of attention (determining how to alert

the user of notifications based on the user's focus of attention; furthermore, varying

forms of alerts can be used to notify/presented to the user, i.e. in an audio, or visual

manner, based on the determined probabilities of the user's focus of attention) (Horvitz:

column 2, lines 25-65, column 3, lines 2-17 and column 6, lines 30-60). It would have

been obvious to one of ordinary skill in the art, having the teachings of Oran and Horvitz

before him at the time the invention was made, to modify the graphical user interface for

displaying representation elements to users based on sensed changes in activity streams

of Oran to include the use of varying forms of representation elements to notify the user

of changes, i.e. alerts, as taught by Horvitz. One would have been motivated to make

such a combination in order to provide a centralized way to manage alerts and

notifications, allowing different notifications to be associated with different types of

alerts, according to specified criteria.

Referring to claim 3, Oran, as modified, teach the selected representation element

is at the periphery of the user's focus of attention (displaying the icon on the system tray,

such as shown in Figure 6, which is at the periphery of the user's focus of attention since

it is displayed on the taskbar, which is designated for the display of notifications to the

user) (Oran: column 1, lines 40-45).

Referring to claims 4 and 13, Oran, as modified, teach wherein the activity stream

is information including external sensor information (alerts that are sensed from external

devices such as telephones, televisions, etc. can be used to notify the user of important

information) (Horvitz: column 6, lines 43-58).

Referring to claims 9 and 18, Oran, as modified, teach the human-sensible

attribute is a display attribute (display of an icon) (Oran: Figure 6).

Referring to claims 10 and 19, Oran, as modified, teach the display attribute includes at least one of a text characteristic, a window characteristic, a desktop characteristic (displaying an icon on the desktop) (Oran: Figure 6).

Referring to claim 20, Oran, as modified, teach determining a users focus of attention by actively sensing the user's focus of attention (user's focus of attention is sensed by user's interactions with the graphical user interface) (Oran: column 4, lines 3-19 and Figures 4-5).

Referring to claims 22-23, Oran, as modified, teach wherein the activity is at least one of a scheduled event approaching and sensor values changing (sensing the activity of a change in the message sent by the application program; for example, when the change of arrival of multiple mail messages is sensed, the icon is correspondingly changed) (Oran: column 5, lines 36-45 and Figure 8).

Referring to claims 24-25, Oran, as modified, teach wherein the activity stream comprises information including at least one of external sensor information, telephone information, broadcast news information and pager information (alerts that are sensed from external devices such as telephones, televisions, etc. can be used to notify the user of important information) (Horvitz: column 6, lines 43-58).

4.   Claims 5-8 and 14-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Oran et al. U.S. Patent 5,617,526 (hereinafter "Oran") and Horvitz U.S. Patent 6,618,716, as applied to claims 1 and 11 above, and Tavori U.S. Patent 5,724,025.

Referring to claims 5 and 14, Oran, as modified, fails to teach that the human-sensible attribute is synthesized based on a selected range. Tavori teach a computer with

a graphical display for displaying monitored information similar to that of Oran. In addition, Tavori further teaches wherein the human-sensible attribute is synthesized based on a selected range (a human-sensible attribute such as an alarm may be set off based on a range, i.e. upper and lower limit set points) (Tavori: column 2, line 46-column 3, line 15). It would have been obvious to one of ordinary skill in the art, having the teachings of Oran, Horvitz and Tavori before him at the time the invention was made, to modify the user interface of Oran and Tavori for synthesizing the human-sensible attribute of Oran and Horvitz to include the use of a selected range taught by Tavori. One would have been motivated to make such a combination in order to provide standardized/set limits and guidelines for when alerts should be presented to the user; the combination further allows the interface to be used for medical purposes facilitating the monitoring and displaying of measured patient information, allowing fast and accurate diagnosis of the patient and allowing immediate alerts of medical emergencies when alarmed conditions occur.

Referring to claims 6 and 15, Oran, as modified, teach wherein the human-sensible attribute is synthesized based on values outside a selected range (the human-sensible attribute of the alarm is set off when the monitored data exceeds, i.e. is outside of the set limits) (Tavori: column 2, line 46-column 3, line 15).

Referring to claims 7 and 16, Oran, as modified, teach wherein the at least one activity stream has a value outside a predicted range of values (the monitored activity streams of the user's vital signs can exceed the set limits, setting off the alarm) (Tavori: column 2, line 46-column 3, line 15).

Referring to claims 8 and 17, Oran, as modified, teach determining the predicted range of values based on monitoring at least one of the at least one activity stream (monitoring activity streams such as the user's vital signs to determine whether the monitored values exceed a set range) (Tavori: column 2, line 46-column 3, line 15).

Response to Arguments

5.   Applicant's arguments with respect to claims 1, 3-11, 13-20 and 22-25 have been considered but are moot in view of the new ground(s) of rejection.

6.   The examiner respectfully asserts that Horvitz teaches selecting at least one representation element based on the user's focus of attention and using varying representation elements to inform the user of the changes in the at least one activity stream depending on the user's focus of attention, the elements that the applicants argues Oran fails to teach. Horvitz teaches that different types of representation elements, i.e. alerts or notifications can be presented to the user; for example, Horvitz teaches that alerts can be presented in an audio manner, or alternatively in a visual manner, based on the determined probabilities of the user's focus of attention (Horvitz: column 2, lines 25-65, column 3, lines 2-17 and column 6, lines 30-60).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ting Zhou whose telephone number is (571) 272-4058. The examiner can normally be reached on Monday - Friday 7:00 am - 4:30 pm.

      If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cabeca can be reached at (571) 272-4048. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

      Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

TZ

Kieu Vu
Primary Examiner